

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

IN RE: CANON U.S.A. DATA BREACH  
LITIGATION

This Documents Related To:

All Actions

Case No. 1:20-cv-06239-AMD-SJB

**PLAINTIFFS' UNOPPOSED  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Plaintiffs Michael Finnigan, Kenneth Buchbinder, Brian McCartney, Tyrone Villacis, Luis Pichardo, Andrew Hamid, Amy Lynn Hamid, Woodrow Moss, and Diana Rouse (collectively, “Representative Plaintiffs”), individually and on behalf of all others similarly situated, by and through their undersigned counsel, hereby move without opposition seeking to

1. Preliminarily approve the class action settlement and direct notice to the Settlement Class pursuant to Rule 23(e);
2. Provisionally certify the Settlement Class under Federal Rule of Civil Procedure 23(b)(3) and (e) for settlement purposes only;
3. Appoint Michael Finnigan, Kenneth Buchbinder, Brian McCartney, Tyrone Villacis, Luis Pichardo, Andrew Hamid, Amy Lynn Hamid, Woodrow Moss, and Diana Rouse as Class Representatives;
4. Appoint Gary Klinger of Milberg Coleman Bryson Phillips Grossman, LLC and John A Yanchunis of Morgan & Morgan Complex Litigation Group as Lead Class Counsel and Lori Feldman of George Gesten McDonald, PLLC as additional Class Counsel;
5. Approve the proposed Notice Plan, Short Form Notice, Long Form Notice, and Claim Form;
6. Appoint Epiq Class Action & Claims Solutions, Inc. to provide notice and claims administration; and
7. Adopt the proposed schedule for notice and final approval of the Settlement.

This Motion is based upon: (1) this Motion; (2) the Memorandum in Support of the Unopposed Motion for Preliminary Approval of Class Action Settlement; (3) the Joint Declaration of Messrs. Klinger and Yanchunis filed herewith; (4) the Settlement Agreement and exhibits; (5) the records, pleadings, and papers filed in this action; (5) the Declaration of Cam Azari; and (6) upon such other documentary and oral evidence or argument as may be presented to the Court on the Motion.

Dated: February 2, 2023

Respectfully submitted,

/s/ Gary M. Klinger

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**CERTIFICATE OF SERVICE**

I hereby certified that on February 2, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Gary M. Klinger